

CITY OF NORTH SALT LAKE
PLANNING COMMISSION MEETING
ANCHOR LOCATION: CITY HALL
10 EAST CENTER STREET, NORTH SALT LAKE
SEPTEMBER 27, 2022

FINAL

Commission Chair BreAnna Larson called the meeting to order at 6:30 p.m.

PRESENT: Commission Chair BreAnna Larson
Commissioner Ryan Holbrook
Commissioner Ron Jorgensen
Commissioner Irene Stone
Commissioner Brandon Tucker
Commissioner William Ward

EXCUSED: Commissioner Katherine Maus

STAFF PRESENT: Sherrie Pace, Community Development Director; Mackenzie Johnson, Planner.

OTHERS PRESENT: Regan Mott, Liz Sears, My Utah Agents, VRM Properties LLC; Derek Vockel, VRM Properties LLC; Wilford Cannon, Eaglewood Development; Dee Lalliss, resident.

1. PUBLIC COMMENTS

There were no public comments.

2. CONSIDERATION OF A PLAT AMENDMENT TO LOTS 28B AND 28C OF THE NORTH SALT LAKE INDUSTRIAL PARK PLAT C, A MANUFACTURING DISTRIBUTION SUBDIVISION, LOCATED AT 450 AND 470 WEST 100 NORTH, VRM PROPERTIES LLC, TYLER MCNEIL, APPLICANT

Mackenzie Johnson reported that this plat amendment was for an existing subdivision called North Salt Industrial Park Plat C which was recorded with the County in 1978. This subdivision encompassed multiple lots including Lots 28B (450 West 100 North) and 28C (470 West 100 North) which were each 1.974 acres in size with 215 feet of frontage on 100 North. At some point Lot 28C was illegally subdivided in half and incorporated into Lot 28B. Davis County records indicate that this change has been recognized since at least December 1981. The applicant, owner of Lot 28B, would like to sell the portion of 28C that was combined into their property. To sell that portion of the property separately a plat amendment would be necessary to reconfigure the lot lines and make the lots legal. Presently Lot 28B has a structure on it, the

incorporated portion of 28C was currently vacant, and the remainder of Lot 28C was built out. The proposed plat modified the size of Lot 28B and changed Lot 28C into two separate lots known as Lot 28E and 28F. Lot 28B would be 2.082 acres with 226.70 feet of frontage on 100 North. Lot 28E would be one acre with 100 feet of frontage. Lot 28F would be 0.949 acres with 103.30 feet of frontage. The subject lots are zoned Manufacturing Distribution (MD). The MD Zone requires that lots be a minimum of two acres in size unless modified by conditional use with a frontage of 65 feet at the street right of way line and 100 feet at the building setback line.

The proposed lots would be compliant with frontage requirements. As part of the plat amendment, the applicant requested that the City grant conditional use to reduce the required lot size from two acres to what was proposed. This request was driven by the existing conditions on each lot including buildings, drainage, and hardscape improvements. The Development Review Committee (DRC) had no concern with the reduced acreage or the configuration of the proposed lots and recommended approval with the correction of all redlines.

Commissioner Jorgensen asked for the reason why the north/south lot line between Lots 28B and 28E jugged into Lot 28E halfway down. Mackenzie Johnson showed the aerial image of the lots and explained there was an existing gate as well as curb and gutter so the proposed lot line accommodated existing conditions. This lot line also ensured that Lot 28E would be one acre in size. She said the parking in front of the gate would be restriped and moved over to accommodate the new lot line.

Commissioner Jorgensen moved that the Planning Commission recommend approval to the City Council of the plat amendment to subdivide Lots 28B and 28C of the North Salt Lake Industrial Park Plat C Subdivision located at 450 and 470 West 100 North with the following condition:

- 1) Correction of all engineering and planning redlines prior to City Council review.**

Commissioner Tucker seconded the motion. The motion was approved by Commissioners Holbrook, Jorgensen, Larson, Stone, Tucker, and Ward. Commissioner Maus was excused.

- 3. CONSIDERATION OF FINAL PLAT APPROVAL FOR EAGLEWOOD COVE SUBDIVISION PHASE 15, PLAT 1, A 2 LOT RESIDENTIAL SUBDIVISION LOCATED AT 1380 EAST AND 616 SOUTH WOOD OAKS LOOP, EWC 15 DEVELOPMENT LLC, WILFORD CANNON, APPLICANT**

Sherrie Pace reported that the previously approved concept plan for Eaglewood Cove Phases 13-15 consisted of 75 lots east of the existing phases of the Eaglewood Cove development. After concept plan approval by the City Council on July 19, 2016, the developer conducted an extensive geological hazards investigation of the property which led to numerous changes in the layout and a reduction from 75 lots to 72 lots. The proposed development was divided into three

phases 13, 14, and 15. Preliminary Plan approval was granted on November 10, 2020, with a condition that sidewalks be added to one side of each street.

There were 20 lots in the Preliminary Plan approval for Phase 15 and the developer has requested to divide Phase 15 into two separate plats as two lots currently have frontage (corner) on Woods Oaks Loop being constructed for Phase 13. The developer proposed to install the other frontages for lots 1501 and 1520 with the construction of Phase 13 to facilitate the final plat approval for Phase 15, Plat 1.

Sherrie Pace explained that the development met the minimum standards and reasonable conditions could be used to mitigate impacts of the development on the community. The plat was reviewed by staff for final plat approval. There were some minor engineering redlines that would need to be corrected prior to recordation but all planning redlines were completed.

Commissioner Holbrook asked how both streets could be named Woods Oak Loop. Sherrie Pace explained that the street was literally a loop and may present some difficulties with addressing. She said the lots on the north/south would have a south address and the lots on the east/west portion of the loop would have east addresses.

Commissioner Tucker moved that the Planning Commission recommend to the City Council the approval of the proposed final plat for Eaglewood Cove Subdivision, Phase 15, Plat 1 located at approximately 616 South and 1380 East Woods Oaks Loop, subject to the following findings and conditions:

Findings:

- 1) The proposed final plat meets the minimum standards of the land use code for final plat approval;**
- 2) The geotechnical report has been approved by the City consultant and the plat has been designed to meet the specific standards and recommendations contained therein;**
- 3) The plat contains the appropriate notes regarding the individual lots and requirements of the geotechnical report.**

Conditions:

- 1) Any remaining engineering redline corrections be completed prior to recordation of final plat.**

Commissioner Holbrook seconded the motion. The motion was approved by Commissioners Holbrook, Jorgensen, Larson, Stone, Tucker, and Ward. Commissioner Maus was excused.

4. REPORT ON CITY COUNCIL ACTIONS ON ITEMS RECOMMENDED BY PLANNING COMMISSION

Sherrie Pace reported that the City Council and the County Commission had entered into consideration of annexing Area B from the City's Annexation Policy Plan. This property was located at the northern boundary between the City and Bountiful near 3800 South. The timeline for the possible annexation included a County Commission public hearing to make a formal recommendation to the City Council to annex the area. That public hearing occurred on September 27, 2022. Under the Annexation Statute in Section 4-18 the City could annex an island of unincorporated County without petition from the property owners if the County Commission made a formal recommendation to the City and made four findings. These findings included that services could be provided more efficiently by the City, more equitable distribution of resources for citizens, that the area was an island, and in the City's annexation declaration. She said there were approximately 50-60 people in attendance at the public hearing with the majority of those opposed to the annexation. Complaints included the name of the City, address changes, etc. The next step would be consideration of a resolution by the City Council to consider the annexation. The City would then hold an open house on Wednesday, October 5, 2022, at Adelaide Elementary for all neighbors of the annexation area. A formal notice would then need to be sent to all property owners and residents prior to October 17th for a public hearing on November 15th.

Sherrie Pace expected that the City Council would request a recommendation on zoning of the property from the Planning Commission. She said the areas were currently a commercial area along Highway 89, an R-1, R-2, and R-3. The R-1 zone would be similar to the City's R-1-10 zone with 9,000 square foot residential lots. The R-2 zone allowed for duplexes on 9,000 square foot lots. The R-3 zone allowed multifamily housing with one dwelling unit on every 2,000 square feet of lot size.

Commissioner Holbrook asked if the commercial could be incorporated into the City's Town Center. Sherrie Pace replied that this could be part of the recommendation made to the City Council. She said there was a lot of uproar against the annexation.

Chair Larson questioned the impetus behind this consideration. Sherrie Pace responded that the County requested consideration of the annexation. It was difficult for the County to provide services to the area and used West Point and Sunset sheriff deputies to patrol these areas. This meant response times could range from 45 minutes to two hours. The City did have some agreements with the County in the event of a life threatening emergency in the unincorporated area. Another issue was snowplowing as the plow location was in Fruit Heights which meant that they obtained supplies, such as salt, from the City's storage as well.

Commissioner Tucker asked about the open house. Sherrie Pace said the open house would be from 6:30 p.m. to 8:30 p.m. with stations setup for the Mayor and City Council, and City staff from Public Works, Police, Planning, and Finance to address questions such as address changes, zoning, services, utilities, etc.

Commissioner Stone questioned why the County had determined the unincorporated area should become part of the City and not Bountiful. Sherrie Pace replied that in 2002 the State Legislature passed a Statute that any city that wanted to annex territory would be required to create an annexation policy declaration and identify areas they would be willing to expand into. She said in her experience the State code asked the cities to agree on a boundary line to avoid overlap. The line was drawn at 3450 South and west of 800 West to Orchard for the City and Bountiful. Bountiful had already annexed the area to the north.

Sherrie Pace explained that even if the citizens in the unincorporated area petitioned Bountiful to annex the area, Bountiful would have to amend their annexation policy plan to include the area. The City would have to amend the annexation policy plan to remove the proposed area. She also said that one of the reasons it would be problematic for Bountiful to annex the area was due to them having their own power company which would require them to buy infrastructure from Rocky Mountain Power.

Commissioner Jorgensen commended staff on the information posted on the City's website related to the annexation. He asked if the County was transparent on the details behind the proposed annexation. Sherrie Pace replied that the County could have been clearer but said overall it took a lot of resources for the County to service the area. She said the County's General Plan from 2006 included a goal for the unincorporated areas to be annexed into cities with the goal for County resources to be directed towards County services such as recreation, libraries, etc.

Sherrie Pace commented on the 50% threshold for protests as the County reported that there were 314 residents but in the County Commission Public Hearing, the number was 358 residents. She said city staff would verify the number of residents.

Sherrie Pace said the County Commission Public Hearing was difficult as there were untrue rumors such as increased crime, restricting backyard firepits, tree removal, etc. She commented that it was hard not to take it personally but said the City would welcome those residents with open arms and provide better services such as police, snowplowing, etc.

Commissioner Holbrook asked what would happen if the City Council determined not to annex the area. Sherrie Pace replied that they would remain part of the County.

5. APPROVAL OF MINUTES

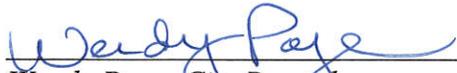
The Planning Commission meeting minutes of September 13, 2022 were reviewed and approved.

Commissioner Jorgensen moved to approve the meeting minutes for the September 13, 2022 meeting as drafted. Commissioner Stone seconded the motion. The motion was approved by Commissioners Holbrook, Jorgensen, Larson, Maus, Stone, Tucker and Ward.

6. ADJOURN

Commission Chair Larson adjourned the meeting at 7:13 p.m.

The foregoing was approved by the Planning Commission of the City of North Salt Lake on Tuesday, October 11, 2022 by unanimous vote of all members present.



Wendy Page, City Recorder